

# **TACKLING HIV POLICY ISSUES: A PROPOSED PROCESS**

## **MARCH 2003**

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### **INTRODUCTION**

Since 1988, the AIDSNET Council comprised of local public health officials has met regularly with Department of Health staff to guide policies for HIV prevention and care in Washington State.

During 2000, the AIDSNET Council appointed a work group to review the AIDS Omnibus Law (Chapter 70.24 RCW, Control and Treatment of Sexually Transmitted Diseases). Its intent was to look at this chapter of the RCW solely through the "lens" of public health and recommend ways to bring these laws up to date with current public health practice—for example, by addressing other bloodborne infections. The group completed its draft work in spring 2002.

As the key statewide agencies, the Washington State Department of Health and the State Board of Health have been asked by the Washington State Association of Local Public Health Officers (WSALPHO) to assess the policy issues raised. The two agencies are now proposing that there be broad stakeholder review of the proposed process that responds to this request. Early discussions with stakeholders about timing, scope and strategy should help ensure that all interested parties have ample opportunity for timely input into the development of any proposed statutory, rule or administrative policy initiatives.

### **PROPOSED PROCESS**

A number of policy issues have been raised that can be tackled in several ways. Options include: (1) changing existing procedures; (2) amending existing Board rules developed under the 1988 AIDS Omnibus Law; (3) passing new types of rules under existing SBOH or DOH statutory authorities; and (4) asking the Legislature to amend the AIDS Omnibus Act or otherwise change existing statute. Some changes could probably be addressed relatively easily in rule without much controversy. Others will require extensive discussions.

To provide an early framework for discussion, the AIDSNET Council, in consultation with DOH, is working on seven issue papers. These documents are currently available in draft form while local public health officials consider them further. The Council, the Public Health Executive Leadership Forum, or WSALPHO will soon transmit final versions to the Board and the Department. In the meantime, these draft documents can provide a starting point for discussion, recognizing that they represent one take on problems identified from the perspective of one stakeholder group, and that other stakeholders will bring other perspectives to the table.

DOH and SBOH suggest consulting with other key stakeholders (including the Governor's Advisory Council on HIV/AIDS, the Lifelong AIDS Alliance, the Department of Corrections, and others) to get approval of this process and to identify other issues that might not be included in the AIDSNET issue papers. DOH and SBOH would then conduct an initial sort of possible changes—identifying those that might be addressed quickly in rule, those that could be addressed in rule but are likely to be controversial, and those that would require new legislation. Stakeholder groups will then be consulted on the sort and will have the ability shape the proposed process before it goes forward.

POLICY CHANGES: METHODS AND TIMELINE	
CHANGES IN AGENCY PROCEDURES (LOCAL AND STATE)	Ongoing
SBOH / DOH ABBREVIATED WAC RULES: non-controversial items that can be handled in some kind of abbreviated rule making process	04/03 – 12/03
SBOH / DOH WAC RULES: substantive and controversial items that necessitate a full rules process	05/03 – 12/04
DOH STATUTORY CHANGES: new Revised Code of Washington (RCW) changes	06/03 – 04/04 (2004 legislative session)

### **NEXT STEPS**

- ❑ Air this document to key stakeholders: ASAP
- ❑ Gather all input on process: By March 21, 2003
- ❑ Finalize process: By March 31, 2003
- ❑ Begin to implement process: April 1, 2003